

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: By **CHAIRMAN GERALD PEASE**, on March 29, 2007 at 3:00 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Gerald Pease, Chairman (D)
Sen. Jerry W. Black (R)
Sen. Roy Brown (R)
Sen. John Brueggeman (R)
Sen. Vicki Cocchiarella (D)
Sen. Sam Kitzenberg (D)
Sen. Jesse Laslovich (D)
Sen. Donald J. Steinbeisser (R)

Members Excused: Sen. Frank Smith (D)

Members Absent: None.

Staff Present: Andrew Geiger, Legislative Branch
Lois O'Connor, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 26, 3/21/2007
Executive Action: HB 428, HB 737, HB 26

00:02:31

HEARING ON HB 26

Opening Statement by Sponsor:

00:04:50 **REP. TOM MCGILLVRAY (R), HD 50**, opened the hearing on **HB 26**, Revise rail service competition council.

Proponents' Testimony:

00:11:48 Evan Barrett, Chief Business Officer, Office of the Honorable Governor Brian Schweitzer (Governor's Office)

00:15:47 Jim Lynch, Director, Montana Department of Transportation (DOT)

00:16:42 Megan Brower, Montana Farm Bureau

Opponents' Testimony:

00:17:16 Jeff Barber, Montana Environmental Information Center (MEIC)

Informational Testimony: None.

Questions from Committee Members and Responses:

00:18:48 Sen. Jerry Black to Rep. McGillvray

00:20:07 Sen. Black to Mr. Barrett, Governor's Office

00:23:49 Sen. Gerald Pease to Rep. McGillvray

Closing by Sponsor:

00:26:06 Rep. McGillvray

EXHIBIT(his67a01)

EXECUTIVE ACTION ON HB 428

00:28:47 **Motion/Vote:** SEN. BRUEGGEMAN moved that HB 428 BE CONCURRED IN. Motion carried unanimously by voice vote. SEN. KITZENBERG voted aye by proxy. SEN. SMITH was excused. SEN. BRUEGGEMAN will carry the bill.

EXECUTIVE ACTION ON HB 737

00:30:34 Motion: SEN. BRUEGGEMAN moved that HB 737 BE CONCURRED IN.

00:30:46 Motion: SEN. BRUEGGEMAN moved to amend HB 737 with amendment #HB073702.AAG.

EXHIBIT(his67a02)

Discussion:

00:31:31 Sen. Brueggeman

00:32:10 Vote: Motion that amendment #HB073702.AAG be approved carried unanimously by voice vote.

00:32:19 Motion: SEN. BRUEGGEMAN moved to further amend HB 737 with amendment #HB073703.AAG.

EXHIBIT(his67a03)

Discussion:

00:32:33 Sen. Brueggeman

00:36:22 Vote: Motion that amendment #HB073703.AAG be approved carried unanimously by voice vote.

00:36:31 Motion: SEN. BRUEGGEMAN moved that HB 737 BE CONCURRED IN AS AMENDED.

Discussion:

00:36:47 Sen. Roy Brown to Brenda Nordlund, Attorney, Department of Justice (DOJ)

00:38:43 Vote: Motion that HB 737 BE CONCURRED IN AS AMENDED carried unanimously by voice vote. SEN. KITZENBERG voted aye by proxy. SEN. SMITH was excused. SEN. BRUEGGEMAN will carry the bill.

EXECUTIVE ACTION ON HB 26

00:39:40 Motion: SEN. BLACK moved that HB 26 BE CONCURRED IN.

00:40:10 **Motion:** SEN. BLACK moved to amend HB 26 with a **CONCEPTUAL AMENDMENT** to reinstate the stricken language on Page 1 lines 19 and 20 and parts of line 21.

Discussion:

00:41:30 Sen. Black

00:42:22 Sen. Brown

00:43:18 Sen. Jesse Laslovich to Sen. Brown

00:44:51 Sen. Black

00:45:43 Sen. Vicki Cocchiarella

00:45:53 **Vote:** Motion that the **CONCEPTUAL AMENDMENT** be approved carried 7-1 by voice vote with SEN. BROWN voting no. SEN. KITZENBERG voted aye by proxy. SEN. SMITH was excused.

00:46:34 **Motion/Vote:** SEN. COCCHIARELLA moved that HB 26 BE **CONCURRED IN AS AMENDED**.

Discussion:

00:46:49 Sen. Laslovich

00:48:07 Sen. Pease to Andrew Geiger, Research Analyst,
Legislative Services Division (LSD)

00:48:20 **Vote:** Motion that HB 26 BE **CONCURRED IN AS AMENDED** carried unanimously by voice vote. SEN. KITZENBERG voted aye by proxy. SEN. SMITH was excused. SEN. HANSEN will carry the bill.

ADJOURNMENT

Adjournment: 5:40 P.M.

SEN. GERALD PEASE, Chairman

LOIS O'CONNOR, Secretary

GP/lo

Additional Exhibits:

EXHIBIT ([his67aad.pdf](#))